

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PERRY SMITH,

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Petitioner,

)

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v.

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No. 4:07CV1830 AGF

)

DISMAS HOUSE OF ST. LOUIS, et al.,)

)

Respondent.

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ORDER

This matter is before the Court on petitioner's motion to proceed in forma pauperis and petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The Court has reviewed the financial information provided with the motion to proceed in forma pauperis and concludes that petitioner is unable to pay the filing fee.

As a result, the motion will be granted. 28 U.S.C. § 1915(a).

The petition for writ of habeas corpus is deficient. Under 28 U.S.C. § 2242:

Application for a writ of habeas corpus shall be in writing signed and verified by the person for whose relief it is intended or by someone acting in his behalf.

It shall allege the facts concerning the applicant's commitment or detention, the name of the person who has custody over him and by virtue of what claim or authority, if known.

The instant petition is not signed or verified by petitioner. Additionally, petitioner has failed to name the person who has custody over him and by virtue of

what claim or authority. As a result, the Court will order petitioner to file an amended petition that complies with the federal habeas statutes within 30 days of the date of this Order.

Accordingly,

IT IS HEREBY ORDERED that petitioner's motion to proceed in forma pauperis [#2] is **GRANTED**.

IT IS FURTHER ORDERED that petitioner shall file an amended petition that complies with federal habeas statutes **within 30 days of the date of this Order**.

IT IS FURTHER ORDERED that failure to comply with this Order will result in the dismissal of the petition.

Dated this 20th Day of November, 2007.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE